

June 2, 2017

**FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

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In the Matter of a Custody/Visitation Proceeding,

File No.: 128425

MANUEL P. ASENSIO,

Docket Nos.:

V-43839-13/13A

V-38917-15/15A

Petitioner,

- against -

EMILIE BOSAK,

Respondent.

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**NOTICE OF APPEAL AND NOTICE OF ENTRY OF ORDER
Of May 26th, 2017 ORDER AND AFFIDAVIT OF SERVICE**

PLEASE TAKE NOTICE that the Father-Petitioner, Manuel P. Asensio, in the above titled case hereby appeals to the New York State Supreme Court, Appellate Division for the First Judicial Department from each and every part of and from each and every Order and Decision contained in Official New York County Family Court's ["Court"] transcription of the court's directions that have the force and full effect of an order of the Court¹ issued on May 26th, 2017 by the justice

¹ We note that the Uniform Civil Rules for the Supreme Court and the County Court make provision for the transcription of the court's directions at a preliminary conference and expressly state that the transcript "shall have the force and effect of an order of the court" (22 NYCRR 202.12(e)). So that there will be no question as to the appealability of such disposition, however, we would also require that where a party presents a written order embodying the court's determination spread on the transcript that such order be signed.

Grisi v. Shainswit, 507 N.Y.S.2d 155, 158-59, 119 A.D.2d 418, 422 (N.Y.A.D. 1 Dept., 1986)

The transcript, corrected if necessary on motion or by stipulation of the parties approved by the court, shall have the force and effect of an order of the court. The transcript shall be filed by the plaintiff with the clerk of the court.

Section 202.12. Preliminary conference, 22 NY ADC 202.12

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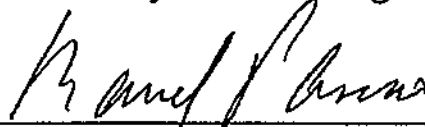
presently presiding in the New York County Family Court custody cases cited above, the Hon. Adetokunbo O. Fasanya, who sits in the Court's Part 5 on the 4th floor of the courthouse located at 60 Lafayette Street, New York, New York 10013.

The Petitioner has caused a copy of this Notice with a copy of the transcription of the Court's Orders of May 26th, 2017 and Affidavit of Service by email and hand delivery on:

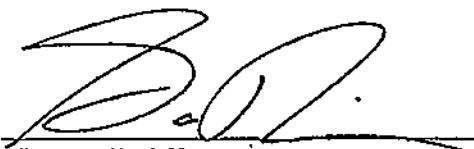
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Carmen Restivo
Attorney for the Child
Appointed by Honorable Adetokunbo O. Fasanya
299 Broadway Ste 1415
New York, NY 10007
(718) 767-3798 crestivoesq@AOL.com

I, Manuel P. Asensio, am the Petitioner in the above named proceeding and hereby swear that the foregoing is complete and true to my own knowledge.


Manuel P. Asensio
Father-Petitioner

Sworn to before me this the 2nd Day of June 2017


Notary Public

SAMUEL T. RICHMAN Notary Public, State of New York No. 01R16339167 Qualified in Kings County Commission Expires March 28, 2020
